

TOWN OF ADDISON, TEXAS

ORDINANCE NO. 011-076

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING CHAPTER 18 (BUILDING AND BUILDING REGULATIONS) OF THE CODE OF ORDINANCES OF THE TOWN BY ADDING VARIOUS PROVISIONS TO ARTICLE VII (HOUSING CODE) THERE OF, INCLUDING: ADDING NEW SECTIONS 18-428.2 (ALTERATIONS, REPAIRS AND ADDITIONS) AND 18-428.3 (WHERE REQUIRED IN EXISTING BUILDINGS); PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (500.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

WHEREAS, the amendments set forth in this Ordinance to Chapter 18 of the Code of Ordinances of the Town of Addison (the "City") are pursuant to investigation and analysis by the City, and are with a view of and to further the purposes and objectives set forth in Section 18-31 of the Code, including to promote the health, safety, welfare, convenience and enjoyment of the public, including to protect the public welfare, and are to comply with applicable State law; and

WHEREAS, the adoption of this Ordinance and the amendments set forth herein are for the best interests of the health, safety and welfare of the City and its citizens.

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

Section 1. Incorporation of Recitals. The above and foregoing recitals and premises to this Ordinance are true and correct and are incorporated herein and made a part hereof for all purposes.

Section 2. Amendment. The Code of Ordinances of the Town of Addison, Texas (the "City") is hereby amended by amending certain sections and provisions of Chapter 18, Building and Building Regulations, thereof as set forth in Exhibit A attached hereto and incorporated herein for all purposes, and all other chapters, articles, sections, subsections, sentences, phrases and words of the said Code of Ordinances are not amended hereby.

Section 3. Savings; Repealer. This Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance. Provided, however, that the repeal of such ordinances or parts of such ordinances, and the amendments and changes made by this Ordinance, shall not affect any right, property or claim which was or is vested in the City, or any act done, or right accruing or accrued, or established, or any suit, action or proceeding had or commenced before the time

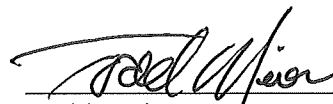
when this Ordinance shall take effect; nor shall said repeals, amendments or changes affect any offense committed, or any penalty or forfeiture incurred, or any suit or prosecution pending at the time when this Ordinance shall take effect under any of the ordinances or sections thereof so repealed, amended or changed; and to that extent and for that purpose the provisions of such ordinances or parts of such ordinances shall be deemed to remain and continue in full force and effect.

Section 4. Penalty. It shall be unlawful for any person, firm, corporation, or other business entity to violate any provision of this Ordinance, and any person, firm, corporation, or other business entity violating or failing to comply with any provision hereof shall be fined, upon conviction, in an amount of not more than Five Hundred and No/100 Dollars (\$500.00), and a separate offense shall be deemed committed each day during or on which a violation or failure occurs or continues.

Section 5. Severability. The provisions of this Ordinance are severable, and if any section or provision of this Ordinance or the application of any section or provision to any person, firm, corporation, entity, situation or circumstance is for any reason adjudged invalid or held unconstitutional by a court of competent jurisdiction, the same shall not affect the validity of any other section or provision of this Ordinance or the application of any other section or provision to any other person, firm, corporation, entity, situation or circumstance, and the City Council declares that it would have adopted the valid portions of this Ordinance adopted herein without the invalid or unconstitutional parts and to this end the provisions of this Ordinance adopted herein shall remain in full force and effect.

Section 6. Effective Date. This Ordinance shall become effective from and after its passage and approval and its publication as may be required by law (including, without limitation, the City Charter and the ordinances of the City).

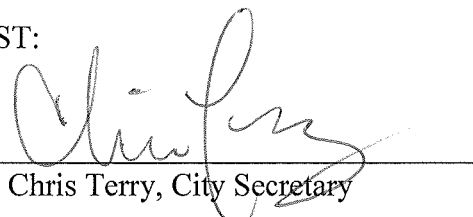
PASSED AND APPROVED by the City Council of the Town of Addison, Texas this **14th** day of **June**, 2011.



Todd Meier, Mayor

ATTEST:

By:



Chris Terry, City Secretary

APPROVED AS TO FORM:

By:



John Hill, City Attorney

**EXHIBIT A
TO ORDINANCE NO. 011-076**

Chapter 18, Building and Building Regulations, of the Code of Ordinances (the "Code") of the Town of Addison, Texas is hereby amended by amending various sections of the said Code as set forth below and as follows (additions are underlined; deletions are):

1. A new Section 18-428.2 is added to the Code to read as follows:

18-428.2 Alterations, repairs and additions.

The International Residential Code is amended by changing Exception 2 in Section R314.3.1 to reads as follows:

Exceptions:

2. Installation, alteration or repairs of electrical, plumbing or mechanical systems are exempt from the requirements of this section.

2. A new Section 18-428.3 is added to the Code to read as follows:

18-428.3 Where required in existing dwellings.

The International Residential Code is amended by changing Section R315.2 to read as follows:

R315.2 Where required in existing dwellings. Where work requiring a permit occurs in existing dwellings that have attached garages or in existing dwellings within which fuel-fired appliances exist, carbon monoxide alarms shall be provided in accordance with Section R315.1.

Exceptions:

1. Work involving the exterior surfaces of dwellings, such as the replacement of roofing or siding, or the addition or replacement of windows or doors, or the addition of a porch

or deck, are exempt from the requirements of this section.

2. Installation, alteration or repairs of electrical, or plumbing and mechanical systems inside the dwelling that does not involve the installation, alteration or repairs of gas lines or gas appliances are exempt from the requirements of this section.