

ORDINANCE NO. 2018-21

AN ORDINANCE OF THE CITY OF SAGINAW AMENDING VARIOUS PROVISIONS OF CHAPTER 10 "BUILDINGS AND BUILDING REGULATIONS" OF THE SAGINAW CITY CODE TO ADOPT THE 2018 INTERNATIONAL BUILDING CODE, 2018 INTERNATIONAL RESIDENTIAL CODE, 2018 INTERNATIONAL PLUMBING CODE, THE 2018 INTERNATIONAL MECHANICAL CODE, THE 2018 INTERNATIONAL FUEL GAS CODE, THE 2018 INTERNATIONAL ENERGY CONSERVATION CODE, THE 2018 INTERNATIONAL EXISTING BUILDING CODE, THE 2018 INTERNATIONAL PROPERTY MAINTENANCE CODE, THE 2017 NATIONAL ELECTRICAL CODE, THE 2018 INTERNATIONAL SWIMMING POOL AND SPA CODE, AND THE 2018 INTERNATIONAL PRIVATE SEWAGE DISPOSAL CODE AS THE OFFICIAL MUNICIPAL CODES OF THE CITY; PROVIDING FOR RECORDING OF THE CODES AS A PUBLIC RECORD; PROVIDING FOR THE ISSUANCE OF PERMITS AND COLLECTION OF FEES THEREFOR; PROVIDING THAT THIS ORDINANCE SHALL BE CUMULATIVE OF ALL ORDINANCES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING FOR PUBLICATION; AND PROVIDING AN EFFECTIVE DATE.

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

WHEREAS, the City of Saginaw has previously adopted versions of nationally-recognized municipal codes, codified in Chapter 10 "Buildings and Building Regulations" of the Saginaw City Code; and

WHEREAS, the City having reviewed the available codes, desires to adopt a more recent set of nationally-recognized municipal codes to meet the needs of the City; and

WHEREAS, the City of Saginaw desires to amend various provisions of Chapter 10 "Buildings and Building Regulations" of the Saginaw City Code to adopt the 2018 editions of the International Building Code, International Residential Code, International Plumbing Code, International Mechanical Code, International Fuel Gas Code, International Energy Conservation Code, International Existing Building Code, International Property Maintenance Code, International Private Sewage Disposal Code, International Swimming Pool and Spa Code, and the 2017 edition of the National Electrical Code, as the official municipal codes of the City.

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

SECTION 1.

That Article III “Building Code” of Chapter 10 “Buildings and Building Regulations” of the Saginaw City Code be and is hereby amended in its entirety to read as follows:

“ARTICLE III. BUILDING CODE

Sec. 10-51. – Adoption of Building Code.

The 2018 Edition of the International Building Code is hereby adopted as the official building code of the City of Saginaw, Texas, and is fully incorporated by reference as though copied into this section in its entirety. The material contained in such code shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record in the office of the city secretary and will be available for public inspection and copying during regular business hours.

Sec. 10-52. - Amendments to International Building Code.

The City of Saginaw may from time to time determine that local modifications to the building code are necessary and appropriate to meet the unique needs of the City of Saginaw. To effectuate modifications, the City Council may enact individual ordinances amending the building code, and such amendments shall be consolidated as an Exhibit to the building code, and shall be maintained as a public record in the office of the City Secretary.

Sec. 10-53. - Resolution of conflicts between International Building Code and International Residential Code.

To the extent of any conflict between the International Building Code as applied to residential property and the International Residential Code, the International Residential Code shall control.

Secs. 10-54—10-70. - Reserved.”

SECTION 2.

That Article IV “Electrical Code” of Chapter 10 “Buildings and Building Regulations” of the Saginaw City Code be and is hereby amended in its entirety to read as follows:

“ARTICLE IV. ELECTRICAL CODE

Sec. 10-71. – Adoption of Electrical Code.

The 2017 National Electrical Code is hereby adopted as the official electrical code of the City of Saginaw, Texas, and is fully incorporated by reference as though copied into this section in its entirety. The material contained in such code shall not be included in the formal municipal

codification of ordinances but shall be maintained as a public record in the office of the city secretary and will be available for public inspection and copying during regular business hours.

Sec. 10-72. - Amendments to National Electrical Code.

The City of Saginaw may from time to time determine that local modifications to the electrical code are necessary and appropriate to meet the unique needs of the City of Saginaw. To effectuate modifications, the City Council may enact individual ordinances amending the electrical code, and such amendments shall be consolidated as an Exhibit to the electrical code, and shall be maintained as a public record in the office of the City Secretary.

Secs. 10-73—10-90. - Reserved.”

SECTION 3.

That Article V “Plumbing Code” of Chapter 10 “Buildings and Building Regulations” of the Saginaw City Code be and is hereby amended in its entirety to read as follows:

“ARTICLE V. PLUMBING CODE

Sec. 10-91. – Adoption of Plumbing Code.

The 2018 Edition of the International Plumbing Code is hereby adopted as the official plumbing code of the City of Saginaw, Texas, and is fully incorporated by reference as though copied into this section in its entirety. The material contained in such code shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record in the office of the city secretary and will be available for public inspection and copying during regular business hours.

Sec. 10-92. - Amendments to International Plumbing Code.

The City of Saginaw may from time to time determine that local modifications to the plumbing code are necessary and appropriate to meet the unique needs of the City of Saginaw. To effectuate modifications, the City Council may enact individual ordinances amending the plumbing code, and such amendments shall be consolidated as an Exhibit to the plumbing code, and shall be maintained as a public record in the office of the City Secretary.

Secs. 10-93—10-110. - Reserved.”

SECTION 4.

That Article VI “Mechanical Code” of Chapter 10 “Buildings and Building Regulations” of the Saginaw City Code be and is hereby amended in its entirety to read as follows:

“ARTICLE VI. MECHANICAL CODE

Sec. 10-111. – Adoption of the Mechanical Code.

The 2018 Edition of the International Mechanical Code is hereby adopted as the official mechanical code of the City of Saginaw, Texas, and is fully incorporated by reference as though copied into this section in its entirety. The material contained in such code shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record in the office of the city secretary and will be available for public inspection and copying during regular business hours.

Sec. 10-112. - Amendments to International Mechanical Code.

The City of Saginaw may from time to time determine that local modifications to the mechanical code are necessary and appropriate to meet the unique needs of the City of Saginaw. To effectuate modifications, the City Council may enact individual ordinances amending the mechanical code, and such amendments shall be consolidated as an Exhibit to the mechanical code, and shall be maintained as a public record in the office of the City Secretary.

Secs. 10-113—10-130. - Reserved.”

SECTION 5.

That Article XIV “Code for Swimming Pools, Spas and Hot Tubs” of Chapter 10 “Buildings and Building Regulations” of the Saginaw City be and is hereby amended in its entirety to read as follows:

“ARTICLE XIV. SWIMMING POOLS AND SPA CODE

Sec. 10-401. – Adoption of Swimming Pools and Spa Code.

The 2018 Edition of the International Swimming Pool and Spa Code is hereby adopted as the official swimming pool and spa code of the City of Saginaw, Texas, and is fully incorporated by reference as though copied into this section in its entirety. The material contained in such code shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record in the office of the city secretary and will be available for public inspection and copying during regular business hours.

Sec. 10-402. - Amendments to International Code for Swimming Pools and Spas.

The City of Saginaw may from time to time determine that local modifications to the swimming pools and spa code are necessary and appropriate to meet the unique needs of the City of Saginaw. To effectuate modifications, the City Council may enact individual ordinances amending the swimming pools and spa code, and such amendments shall be consolidated as an

Exhibit to the swimming pools and spa code, and shall be maintained as a public record in the office of the City Secretary.

Secs. 10-403—10-430. - Reserved.”

SECTION 6.

That Article XVIII “Residential Code” of Chapter 10 “Buildings and Building Regulations” of the Saginaw City Code be and is hereby amended in its entirety to read as follows:

“ARTICLE XVIII. RESIDENTIAL CODE

Sec. 10-526. - Adoption of International Residential Code.

The 2018 Edition of the International Residential Code is hereby adopted as the official residential construction code of the City of Saginaw, Texas, and is fully incorporated by reference as though copied into this section in its entirety. The material contained in such code shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record in the office of the city secretary and will be available for public inspection and copying during regular business hours.

Sec. 10-527. - Amendments to International Residential Code.

The City of Saginaw may from time to time determine that local modifications to the residential code are necessary and appropriate to meet the unique needs of the City of Saginaw. To effectuate modifications, the City Council may enact individual ordinances amending the residential code, and such amendments shall be consolidated as an Exhibit to the residential code, and shall be maintained as a public record in the office of the City Secretary.

Secs. 10-528—10-545. - Reserved.”

SECTION 7.

That Article XIX “International Energy Conservation Code” of Chapter 10 “Buildings and Building Regulations” of the Saginaw City Code be and is hereby amended in its entirety to read as follows:

“ARTICLE XIX. INTERNATIONAL ENERGY CONSERVATION CODE

Sec. 10-546. – Adoption of the Energy Conservation Code.

The 2018 Edition of the International Energy Conservation Code is hereby adopted as the official energy conservation code of the City of Saginaw, Texas, and is fully incorporated by reference as though copied into this section in its entirety. The material contained in such code shall not be included in the formal municipal codification of ordinances but shall be maintained

as a public record in the office of the city secretary and will be available for public inspection and copying during regular business hours.

Sec. 10-547. - Amendments to International Energy Conservation Code.

The 2018 Edition of the International Energy Conservation Code, as adopted herein, is hereby amended by adoption of those local amendments shown on Exhibit "A" attached hereto. The material contained in Exhibit "A" to this ordinance, although fully adopted and incorporated by reference, shall not be included in the formal municipal codification of ordinances. The material contained in Exhibit "A" shall instead be maintained as a public record in the office of the City Secretary. This exhibit will be available for public inspection and copying during regular business hours.

Secs. 10-548—10-560. - Reserved."

SECTION 8.

That Article XX "International Fuel Gas Code" of Chapter 10 "Buildings and Building Regulations" of the Saginaw City Code be and is hereby amended in its entirety to read as follows:

"ARTICLE XX. INTERNATIONAL FUEL GAS CODE

Sec. 10-561. – Adoption of Fuel Gas Code.

The 2018 Edition of the International Fuel Gas Code is hereby adopted as the official fuel gas code of the City of Saginaw, Texas, and is fully incorporated by reference as though copied into this section in its entirety. The material contained in such code shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record in the office of the city secretary and will be available for public inspection and copying during regular business hours.

Sec. 10-562. - Amendments to International Fuel Gas Code.

The City of Saginaw may from time to time determine that local modifications to the fuel gas code are necessary and appropriate to meet the unique needs of the City of Saginaw. To effectuate modifications, the City Council may enact individual ordinances amending the fuel gas code, and such amendments shall be consolidated as an Exhibit to the fuel gas code, and shall be maintained as a public record in the office of the City Secretary.

Secs. 10-563—10-574. - Reserved."

SECTION 9.

That Article XXI "International Existing Building Code" of Chapter 10 "Buildings and Building Regulations" of the Saginaw City Code be and is hereby amended in its entirety to read as follows:

“ARTICLE XXI. INTERNATIONAL EXISTING BUILDING CODE

Sec. 10-575. – Adoption of Existing Building Code.

The 2018 Edition of the International Existing Building Code is hereby adopted as the official existing building code of the City of Saginaw, Texas, and is fully incorporated by reference as though copied into this section in its entirety. The material contained in such code shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record in the office of the city secretary and will be available for public inspection and copying during regular business hours.

Sec. 10-576. - Amendments to International Existing Building Code.

The City of Saginaw may from time to time determine that local modifications to the existing building code are necessary and appropriate to meet the unique needs of the City of Saginaw. To effectuate modifications, the City Council may enact individual ordinances amending the existing building code, and such amendments shall be consolidated as an Exhibit to the existing building code, and shall be maintained as a public record in the office of the City Secretary.

Secs. 10-577—10-584. - Reserved.”

SECTION 10.

That Article XXII “International Property Maintenance Code” of Chapter 10 “Buildings and Building Regulations” of the Saginaw City Code be and is hereby amended in its entirety to read as follows:

“ARTICLE XXII. INTERNATIONAL PROPERTY MAINTENANCE CODE

Sec. 10-585. – Adoption of Property Maintenance Code.

The 2018 Edition of the International Property Maintenance Code is hereby adopted as the official property maintenance code of the City of Saginaw, Texas, and is fully incorporated by reference as though copied into this section in its entirety. The material contained in such code shall not be included in the formal municipal codification of ordinances but shall be maintained as a public record in the office of the city secretary and will be available for public inspection and copying during regular business hours.

Sec. 10-586. - Amendments to International Property Maintenance Code.

The City of Saginaw may from time to time determine that local modifications to the property maintenance code are necessary and appropriate to meet the unique needs of the City of Saginaw. To effectuate modifications, the City Council may enact individual ordinances amending the property maintenance code, and such amendments shall be consolidated as an

Exhibit to the property maintenance code, and shall be maintained as a public record in the office of the City Secretary.

Secs. 10-587—10-594. - Reserved.”

SECTION 11.

That Chapter 10 “Buildings and Building Regulations” of the Saginaw City Code be and is hereby amended by adding a new Article XXIII “International Private Sewage Disposal Code” to read as follows:

“ARTICLE XXIII. INTERNATIONAL PRIVATE SEWAGE DISPOSAL CODE

Sec. 10-595. – Adoption of Private Sewage Disposal Code.

The 2018 Edition of the International Private Sewage Disposal Code is hereby adopted as the official private sewage disposal code of the City of Saginaw, Texas, and is fully incorporated by reference as though copied into this ordinance in its entirety. The material contained in such code shall not be included in the formal municipal codification of the ordinances but shall be maintained as a public record in the office of the City Secretary and will be available for public inspection and copying during regular business hours.

Sec. 10-596. - Amendments to International Private Sewage Disposal Code.

The City of Saginaw may from time to time determine that local modifications to the private sewage disposal code are necessary and appropriate to meet the unique needs of the City of Saginaw. To effectuate modifications, the City Council may enact individual ordinances amending the private sewage disposal code, and such amendments shall be consolidated as an Exhibit to the private sewage disposal code, and shall be maintained as a public record in the office of the City Secretary.

Secs. 10-597—10-599. - Reserved.”

SECTION 12.

The municipal codes adopted herein provide for the issuance of certain permits and the collection of fees therefor. The fees shall be established by the City’s schedule of fees.

SECTION 13.

PROVISIONS CUMULATIVE BUT CONFLICTING ORDINANCES REPEALED

This ordinance shall be cumulative of all provisions of all existing ordinances and of the Code of Ordinances of the City of Saginaw, Texas, as amended, except where the provisions of this ordinance are in conflict with provisions of such existing ordinances and code, in which event the conflicting provisions of such ordinances and Code are hereby repealed.

**SECTION 14.
PROVISIONS SEVERABLE**

It is hereby declared to be the intention of the City Council that the phrases, clauses, sentences, paragraphs and sections of this Ordinance 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, phrase, clauses, sentences, paragraphs or sections of this Ordinance since the same would have been enacted by the City Council without incorporation in this Ordinance of any such unconstitutional phrase, sentence, paragraph or section.

**SECTION 15.
PENALTY**

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 no more than Two Thousand Dollars and no cents (\$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 and cents (\$500.00) for all other violations of this ordinance. Each day that a violation is permitted to exist shall constitute a separate offense.

**SECTION 16.
PREVIOUSLY ACCRUING RIGHTS AND REMEDIES SAVED**

All rights and remedies of the City of Saginaw, Texas are expressly saved as to any and all violations of the provisions of the Building Code, Residential Code, Electric Code, Energy Code, Fuel Gas Code, Mechanical Code, Plumbing Code, Existing Building Code, Property Maintenance Code, Swimming Pool and Spa Code, Private Sewage Disposal Code or any other ordinances affecting such codes 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.

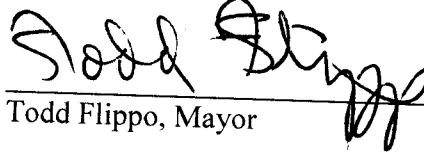
**SECTION 17.
PUBLICATION**

The City Secretary of the City of Saginaw is hereby directed to publish in the official newspaper of the City of Saginaw, the caption, penalty clause, publication clause, and effective date clause of this ordinance in accordance with Section 52.013(b) of the Local Government Code.

**SECTION 18.
EFFECTIVE DATE**

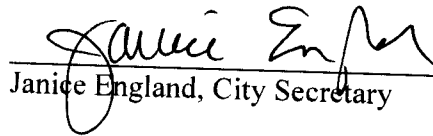
This Ordinance shall be in full force and effect from and after its passage and publication as provided by law, and it is so ordained.

PASSED AND APPROVED ON THIS 4th DAY OF December 2018.



Todd Flippo, Mayor

ATTEST:



Janice England, City Secretary

EFFECTIVE: February 1, 2019

APPROVED AS TO FORM AND LEGALITY



Bryn Meredith, City Attorney

