



ORDINANCE NO. 24-0123-G3

AN ORDINANCE OF THE CITY OF ENNIS, TEXAS AMENDING THE CODE OF ORDINANCES, CHAPTER 5, “BUILDINGS AND BUILDING REGULATIONS,” ARTICLE III, “BUILDING CONSTRUCTION AND RELATED CODES,” SECTION 5-51 TO ADOPT THE 2021 EDITION OF THE INTERNATIONAL BUILDING CODE, INTERNATIONAL RESIDENTIAL CODE, INTERNATIONAL ENERGY CONSERVATION CODE, INTERNATIONAL FIRE CODE, INTERNATIONAL PLUMBING CODE, INTERNATIONAL MECHANICAL CODE, INTERNATIONAL FUEL GAS CODE, INTERNATIONAL EXISTING BUILDING CODE, INTERNATIONAL PROPERTY MAINTENANCE CODE; ADOPTING THE NATIONAL ELECTRIC CODE EDITION CURRENTLY ADOPTED BY THE TEXAS DEPARTMENT OF LICENSING AND REGULATION, AND THE LATEST EDITION OF THE NATIONAL FIRE CODE PUBLISHED BY THE NATIONAL FIRE PROTECTION ASSOCIATION, WITH CERTAIN LOCAL AMENDMENTS; PROVIDING INCORPORATION OF PREMISES; PROVIDING FOR AMENDMENTS; PROVIDING FOR A CUMULATIVE/REPEALER CLAUSE; PROVIDING A SAVINGS CLAUSE; PROVIDING A SEVERABILITY CLAUSE; PROVIDING FOR A PENALTY; AND PROVIDING FOR PUBLICATION AND AN EFFECTIVE DATE.

WHEREAS, the City of Ennis, Texas (the “City”) is a home rule municipality 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 recognizes that the international codes form an essential regulatory framework to establish standards for the construction of buildings; and

WHEREAS, the City is currently operating under the 2015 family of international codes; and

WHEREAS, the City Commission desires to adopt the updated editions to protect the health, safety and welfare of the residents and visitors in the City of Ennis.

NOW THEREFORE, BE IT ORDAINED BY THE CITY COMMISSION OF THE CITY OF ENNIS, TEXAS:

Section 1. Incorporation of premises. The premises set forth above are the stated findings of the City Commission of the City of Ennis, serve as the basis for and are incorporated into this Ordinance as if written word for word.

Section 2. Amendments. That Chapter 5, “Buildings and Building Regulations,” Article III, “Building Construction and Related Codes,” Section 5-51, “International codes adopted” is hereby amended to read in its entirety as follows:

Sec. 5-51. – International codes adopted.

- (a) *Adopted.* That certain documents, one (1) copy of which is on file in the office of the City Secretary of the City of Ennis, Texas, being marked and designated as the 2021 Editions of the International Building Code, International Residential Code including Appendices G and H, International Energy Conservation Code, International Fire Code including Appendices B, C, D, F, H, I, J, International Plumbing Code, International Mechanical Code, International Fuel Gas Code, International Existing Building Code, and the International Property Maintenance Code, as published by the International Code Council, the currently adopted edition by Texas Department of Licensing and Regulation National Electric Code, as published by the National Fire Protection Association, and the latest edition on file of the National Fire Code, as published by the National Fire Protection Association, be and are hereby adopted as the codes of the City of Ennis; and each and all of the regulations, provisions, conditions and terms of such aforementioned codes, as published by the International Code Council and National Fire Protection Association, on file in the office of the City Secretary of the City of Ennis, Texas are hereby referred to, adopted and made a part hereof as if fully set out in this section.
- (b) *Amendments.* That Section 903.2.7 of the 2021 Edition of the International Building Code in its entirety shall read as follows:
903.2.7 Group M. An automatic sprinkler system shall be provided throughout buildings containing a Group M occupancy where one of the following conditions exists:
1. A Group M fire area exceeds 12,000 square feet (1115 m²).
 2. A Group M fire area is located more than three stories above grade plane.
 3. The combined area of all Group M fire areas on all floors, including any mezzanines, exceeds 24,000 square feet (2230 m²).
- (c) *Amendments.* Chapter 4 RE and Chapter 4 CE of the International Energy Conservation Code in reference to testing for air leakage shall be amended to allow for visual inspections for compliance as appropriate.

Section 3. Cumulative/Repealer Clause. This Ordinance shall be cumulative of all ordinances of the City of Ennis, Texas, except where the provisions of this Ordinance are in direct conflict with the provisions of such ordinances, in which event the conflicting provisions of such ordinances are hereby repealed.

Section 4. Savings Clause. All rights and remedies of the City of Ennis, Texas, are expressly saved as to any and all violations of the provisions of the Ordinance or any other ordinance 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 5. Severability Clause. It is hereby declared to be the intention of the City Commission 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 phrases, clauses, sentences, paragraphs and sections of this Ordinance, since the same would have been enacted by the City Commission without the incorporation of this Ordinance of any such unconstitutional phrase, clause, sentence, paragraph or section.

Section 6. Penalty. Any person, firm, partnership, or corporation found violating any provision of this Ordinance, upon conviction, shall be deemed guilty of a misdemeanor and shall be punished by a fine set forth in Section 1-14 of the Code of Ordinances. Each day that a provision of this Ordinance is violated shall constitute a separate and distinct offense.

Section 7. Effective Date. This Ordinance shall take effect from its passage and publication as required by Texas law and the City Charter.

PASSED AND APPROVED by the City Commission of the City of Ennis, Texas on this 23rd day of January, 2024.

A handwritten signature in dark ink, appearing to read "Angelina Juennemann", is written over a horizontal line.

ANGELINE JUENEMANN, Mayor

ATTEST:

Angie Wade



ANGIE WADE, City Secretary