



**LAKEWOOD VILLAGE TOWN HALL
100 HIGHRIDGE DRIVE
LAKEWOOD VILLAGE, TEXAS**

**TOWN COUNCIL MEETING
APRIL 17, 2015 7:00 P.M.**

REGULAR SESSION – AGENDA

Call to Order and Announce a Quorum is Present

A. PLEDGE TO THE FLAG:

B. VISITOR/CITIZENS FORUM: At this time, any person with business before the Council not scheduled on the agenda may speak to the Council. No formal action may be taken on these items at this meeting.

C. CONSENT AGENDA: All of the items on the Consent Agenda are considered to be self-explanatory and will be enacted with one motion. There will be no separate discussion of these items unless a Council Member or citizen so request. For a citizen to request removal of an item from the Consent Agenda a speaker card must be filled out and submitted to the Town Secretary prior to the call to order.

1. Building Handbook Changes to Require Use of Roll-off Containers (Bushong)
2. Consideration of Replat Request for 312 Parkwood, Mr. David Smullin (Asbell)

D. REGULAR AGENDA:

1. Consideration of Variance Request for 765 Carrie, Mr. Wes Willard (Asbell)
2. Consideration of Variance Request for 1219 Oak Street, Mr. Ellis Meals (Asbell)
3. Consideration of Variance Request for 401 Sheriff Avenue, Mr. Mark Munderloh (Asbell)
4. Consideration of Sponsorship of Neighborhood Watch Notices on Town Website (Newsome)
5. Discussion of Draft Residential Code (Bushong)
6. Discussion of Draft Energy Conservation Code (Bushong)
7. Discussion of Draft Fuel Gas Code (Bushong)
8. Discussion of Mechanical Code (Bushong)
9. Discussion of Plumbing Code (Bushong)
10. Discussion of Capital Improvement Projects Plan for 2015 (Vargus)
11. Discussion of Fence Replacement Fee Waiver (Vargus)
12. Discussion of Lake Access Signage (Vargus)
13. Discussion of 2015 Candidate Forum (Asbell)

E. EXECUTIVE SESSION: Recess into executive session in compliance with (1) § 551.071, Texas Government Code to wit: Consultation with the Town Attorney regarding pending or contemplated litigation, re: Town of Lakewood Village V. Harry Bizios; (2) § 551.072 Texas Government Code to wit: deliberations about real property; (3) § 551.087 Texas Government Code to wit: Economic Development Negotiations; and (4) § 551.076 Texas Government Code to wit: deliberations about Security Devices

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

G. COUNCIL AND STAFF COMMENTS: Comments may be made by Council or Staff. No formal action may be taken on these items at this meeting.

H. ADJOURNMENT

I do hereby certify that the above notice of meeting was posted on the designated place for official notice before 5:00 p.m. on Tuesday, April 14, 2015.

Linda Asbell, TRMC, 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).

This facility is wheelchair accessible and accessible parking spaces are available. Requests for accommodations or interpretive services must be made 48 hours prior to this meeting. Please contact the Town Secretary's office at 972-294-5555 or FAX 972-292-0812 for further information.

One or more members of the LAKEWOOD VILLAGE ECONOMIC DEVELOPMENT CORPORATION and the LAKEWOOD VILLAGE MUNICIPAL DEVELOPMENT DISTRICT may attend this meeting. No action will be taken by either the EDC or MDD Boards during this meeting.



Memorandum

TO: Town Council
FROM: Clint Bushong
RE: Agenda C.1: Roll off Dumpster Requirement for New Home Construction

As discussed at the council meeting on March 12th, there is a need to update the Building Application Handbook for large construction projects to utilize a roll off dumpster instead of the current loosely defined “covered trash containers”. The goals are to improve jobsite cleanliness and ensure that the jobsite debris is disposed of legally and in a professional manner.

I have outlined the changes to the Building Application Handbook below. For reference, the Building Application Handbook is available [online](#) or upon request.

I’m looking forward to the discussion.

Clint Bushong

Building Procedures

D. Culverts, ~~and~~ Portable Toilets ~~and covered trash containers~~ shall be installed prior to construction work beginning and shall remain on site throughout the construction process.

E. A roll off dumpster from the Town’s contracted garbage collection service shall be in place at the time of the Plumbing Rough inspection and remain onsite through the Building Final inspection.

Item E above was inserted and previous items E through M were incremented by one letter.

Pool – Spa Procedures

~~C. Covered trash containers shall be installed prior to construction work beginning and shall remain on site throughout the construction process.~~

C. A roll off dumpster from the Town’s contracted garbage collection service shall be in place at the time construction begins and remain onsite until the Pool Final inspection.



MEMORANDUM

TO: Town Council
FROM: Linda Asbell, TRMC, Town Secretary
DATE: April 10, 2015
RE: Agenda Item C.2 – Smullin Replat Request

Mr. David Smullin is requesting a replat to combine a lot located at 312 Parkwood and one located at 315 Green Meadow. These lots are contiguous along the rear property line of each lot. Current zoning prevents Mr. Smullin, who owns both lots, from constructing a pool on the Green Meadow lot since there is not a residential structure also on the lot. Mr. Smullin would like to combine these lots would to allow for a deep backyard and pool area.

Mr. Smullin has been advised that the property cannot be entirely fenced in, and a setback mimicking a “front yard” must be provided on Green Meadow.



BUILDING DEPARTMENT

VARIANCE REQUEST

100 Highridge Drive
Lakewood Village, TX 75068
(972) 294-5555 Office (972) 292-0812 Fax
linda@lakewoodvillagetx.us

REVISED: 10/09/2014

APPLICANT / OWNER	
Applicant Name <i>William Snyder</i>	Address <i>P.O. Box 293 Aubrey, TX 76227</i>
Day Time Telephone <i>214-837-2345</i>	
Email <i>Bill Snyder & Snyder Custom Homes. com</i>	
Owner Name <i>Wes Willard</i>	Address <i>765 Carrie Lane Lakewood Village, Tx 75068</i>
Day Time Telephone <i>214-284-4384</i>	
Email <i>Wes.Willard@1791.com</i>	
PROPERTY	
Address or General Location <i>765 Carrie Lane</i>	
Legal Description (If Platted) <i>Shores of Lakewood Village Sec 5 Phase 3 Blk A Lot 27</i>	
Lot Size <i>1.689 acres</i>	Zoning Classification
Existing Use of Land and/or Building(s) <i>Residential</i>	
REQUESTED VARIANCE	
Variance to Section(s) of the Ordinance	
Current Ordinance Requirement(s)	
Requested Variance(s)	

**BUILDING DEPARTMENT****VARIANCE REQUEST**

100 Highridge Drive
Lakewood Village, TX 75068
(972) 294-5555 Office (972) 292-0812 Fax
linda@lakewoodvillage.tx.us

REVISED: 10/09/2014

SUBMITTAL REQUIREMENTS

If the applicant is not the owner, a letter signed and dated by the owner certifying their ownership of the property and the authorizing the applicant to represent the person, organization, or business that owns the property.

If not platted, a metes and bounds legal description of the property.

A written statement documenting the reason for the variance(s), including evidence that the request complies with the following criteria as required for approval of a variance.

- 1) A unique physical condition exists within or adjacent to the subject tract or structure(s) located thereon which distinguishes it from other similarly situated, and which creates an exceptional hardship, difficulty, or inequity that would result from literal enforcement of the ordinance;
- 2) The condition or characteristic noted above is not caused by an action of the property owner, occupant, or applicant;
- 3) The variance is the minimum amount necessary to allow a reasonable use of the property;
- 4) The sole reason for the variance is not a desire of the owner, occupant, or applicant for increased financial gain or reduced financial hardship;
- 5) The variance will not adversely affect public health or safety, and will not substantially or permanently interfere with the appropriate use of adjacent conforming property in the same district; and,
- 6) The variance will not alter the essential character of the zoning district within which the subject property is located, and is in harmony with the intent and purposes of the zoning ordinance.

Site plan, submitted on drawing sheet size 11" X 17", showing:

- 1) Scale and north arrow;
- 2) Location of site with respect to streets and adjacent properties;
- 3) Property lines and dimensions;
- 4) Location and dimensions of buildings;
- 5) Building setback distances from property lines;
- 6) Location, dimensions, and surface type of off-street parking spaces and loading areas; and
- 7) Any other proposed features of the site which are applicable to the requested variance.

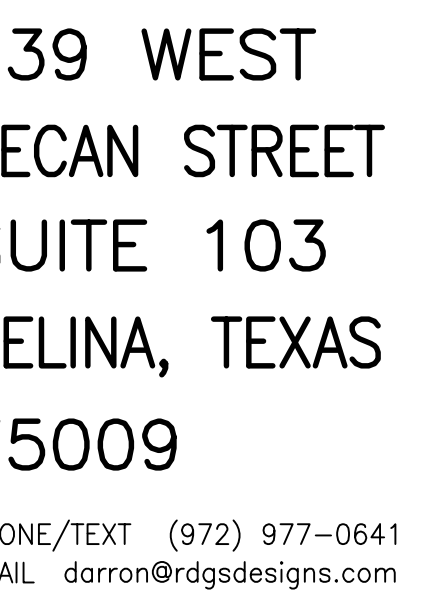
NOTICE

To the best of my knowledge, this application and associated documents are complete and correct, and it is understood that I or another representative should be present at all public meetings concerning this application.

Applicant Signature

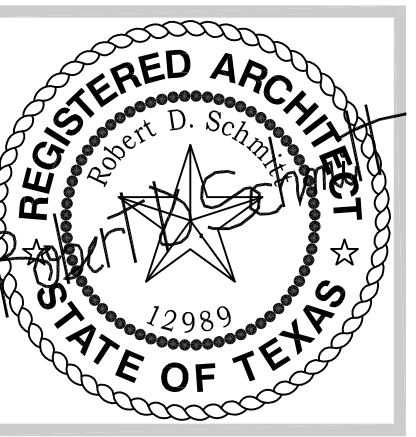
Date

4-6-15



REVISED:

THESE PLANS ARE INTENDED TO PROVIDE THE BASIC CONSTRUCTION
INFORMATION FOR THE ARCHITECT, ENGINEER, CONTRACTOR AND
OWNER. THE ARCHITECT, ENGINEER, CONTRACTOR AND OWNER
SHALL BE RESPONSIBLE FOR OBTAINING ALL NECESSARY
PERMITS, ORDINANCES, AND REGULATIONS. THE ARCHITECT
AND ENGINEER SHALL NOT BE RESPONSIBLE FOR THE
CONSTRUCTION OF THE PROJECT. THE ARCHITECT AND
ENGINEER SHALL NOT SCALE THESE DRAWINGS.
DO NOT SCALE THESE DRAWINGS.

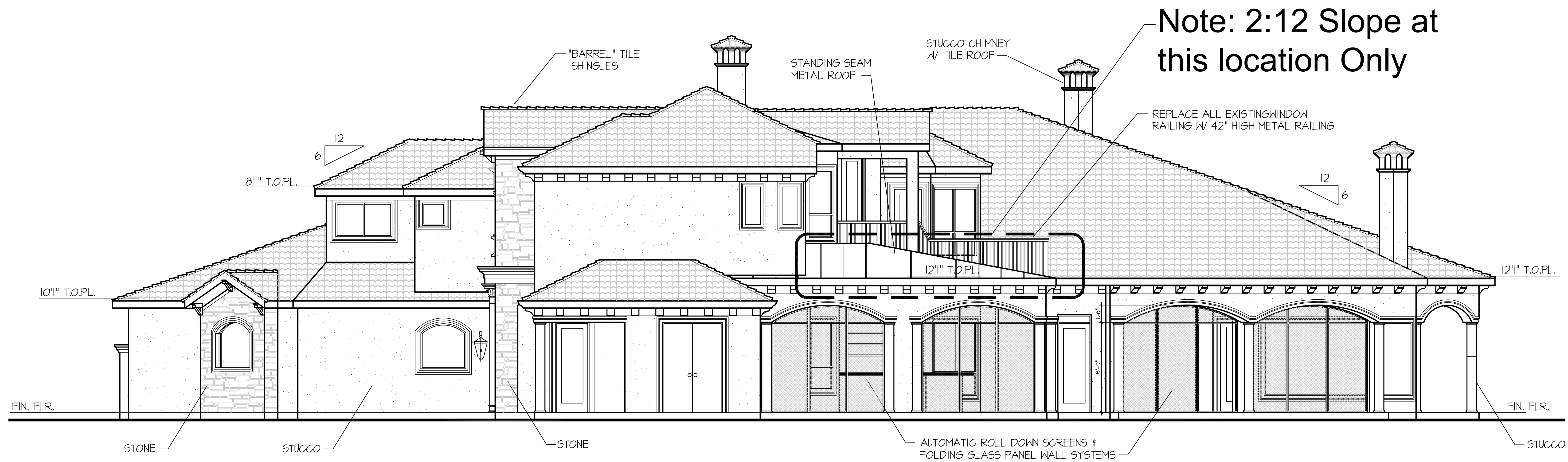


0-00-14

Willard Remodel
765 Carrie Lane,
Lakewood Village, Texas 75068
Snyder Custom Homes
PH 940 440-9731
WWW.SNYDERCUSTOMHOMES.COM

14020

A4.00



RIGHT SIDE ELEVATION CONCEPT

SCALE: 1/4" = 1'-0"



LEFT SIDE ELEVATION CONCEPT

SCALE: 1/4" = 1'-0"

**BUILDING DEPARTMENT****VARIANCE REQUEST**

100 Highridge Drive
Lakewood Village, TX 75068
(972) 294-5555 Office (972) 292-0812 Fax
linda@lakewoodvillagetx.us

REVISED: 10/09/2014

APPLICANT / OWNER

Applicant Name <i>Ellis Meals</i>	Address <i>1507 Highland Drive Little Elm, Tx. 75068</i>
Day Time Telephone <i>972-965-0224</i>	
Email <i>elmeals@yahoo.com</i>	
Owner Name Same as Applicant? <input checked="" type="checkbox"/> Yes	Address
Day Time Telephone	
Email	

PROPERTY

Address or General Location <i>adjacent to 1219 Oak St. Rocky Point</i>	
Legal Description (If Platted) <i>Lots 24, 25 Rocky Point Annex, Denton Co. Tx. Vacant</i>	
Lot Size <input type="checkbox"/> Square Feet OR <input type="checkbox"/> Acres	Zoning Classification <i>County</i>
Existing Use of Land and/or Building(s) <i>Vacant</i>	

REQUESTED VARIANCE

Variance to Section(s) of the Ordinance <i>Request to Build a Metal Building</i>
Current Ordinance Requirement(s)
Requested Variance(s) <i>30x70 Metal Building</i>



BUILDING DEPARTMENT

VARIANCE REQUEST

100 Highridge Drive
Lakewood Village, TX 75068
(972) 294-5555 Office (972) 292-0812 Fax
linda@lakewoodvillagetx.us

REVISED: 10/09/2014

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- 3) Property lines and dimensions;
- 4) Location and dimensions of buildings;
- 5) Building setback distances from property lines;
- 6) Location, dimensions, and surface type of off-street parking spaces and loading areas; and
- 7) Any other proposed features of the site which are applicable to the requested variance.

NOTICE

To the best of my knowledge, this application and associated documents are complete and correct, and it is understood that I or another representative should be present at all public meetings concerning this application.

Applicant Signature

Ellie Meah

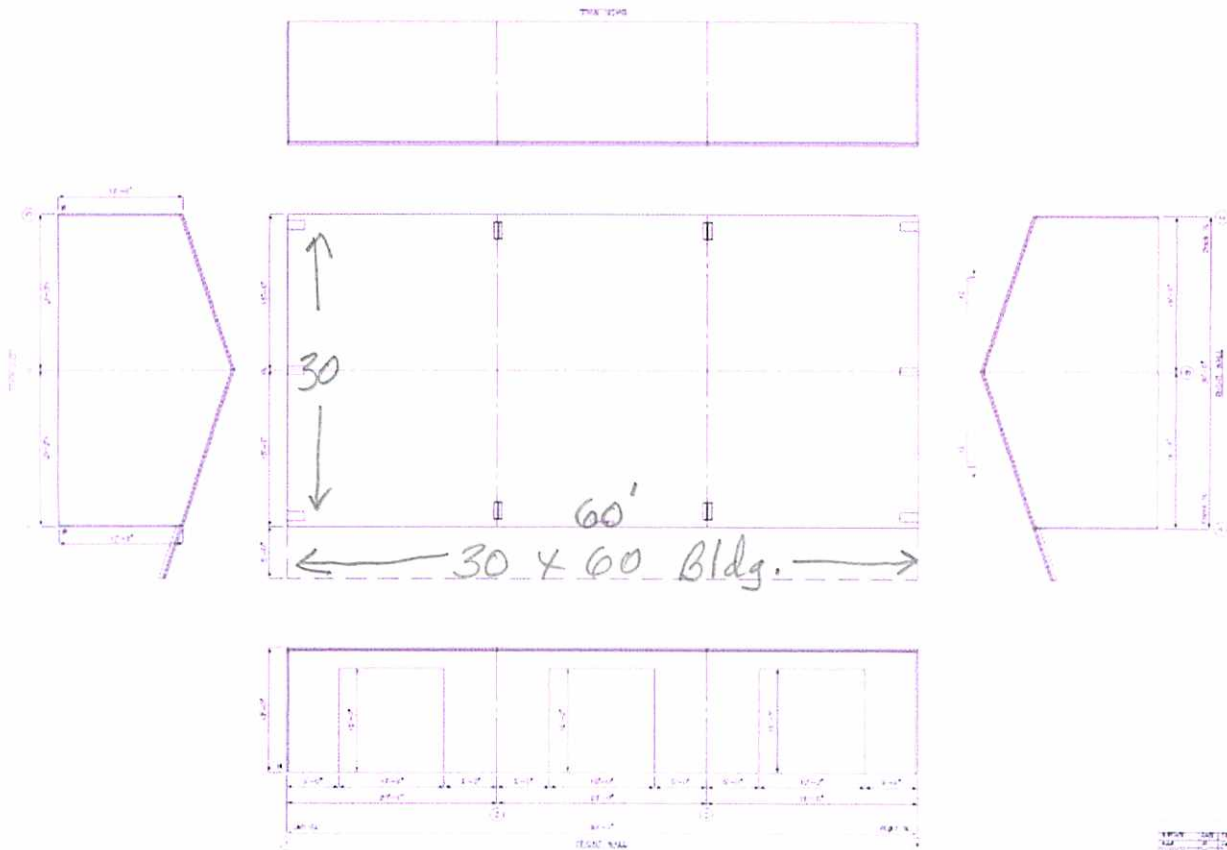
Date

4-8-15

Images

30x60

Ellis Meals 972-965-0224



- 30 x 60 Metal Bldg.
- 12' Height
- 36" coverage R panel for siding and roof
- 3" and 4" C Purlins for horizontal structure
- Steel pipe for vertical structure
- 3 overhead doors
- 1 walk in door
- 4 to 6 windows
- Cement floor
- Septic per Denton County

**TOWN OF LAKEWOOD VILLAGE
RESIDENTIAL CODE 15-xx**

**AN ORDINANCE TO ADOPT THE 2012 INTERNATIONAL
RESIDENTIAL CODE, WITHIN THE TOWN OF LAKEWOOD
VILLAGE AND THE TOWN OF LAKEWOOD VILLAGE
EXTRATERRITORIAL JURISDICTION; 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 and the citizens inside the Town of Lakewood village Extraterritorial Jurisdiction (collectively “Lakewood Village”) to adopt the 2012 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 International Residential Code

The International Residential Code, 2012 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 International Residential Code"). The 2012 International Residential Code is made a part of this Ordinance as if fully set forth herein.

Section 3: Repeal

Residential Code 14-07 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. 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 xxth day of Xxxx, 2015.

Mark Vargus
Mayor

ATTEST:

Linda Asbell
Town Secretary, TMRC

Exhibit A

Town of Lakewood Village Amendments

2012 International Residential Code



RESIDENTIAL CODE

Adopted: Xxxx xx, 2015

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CHAPTER 1. ADMINISTRATION

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

R101 General

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

R101.1 Title

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

R102 Applicability

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

R105.1 Required

Any owner or 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 (~~18.8 m²~~) (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 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 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 official 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 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 ~~fee established by the applicable governing authority that shall be~~ in addition to the required *permit* fees.

R109 Inspections

Inspections of the 2012 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.

R109.1.4 Frame and Masonry Inspection

Inspection of framing and masonry construction shall be made after the roof, masonry, all framing, firestopping, draftstopping and bracing are in place and after the plumbing, mechanical and electrical rough inspections are *approved*. A registered design professional, or their designated

representative, must perform a structural framing inspection and provide the Building Official with a signed and sealed document stating that the structure's framing has been inspected and approved. This inspection must take place prior to requesting a framing 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 International Residential Code are amended as follows:

R110.1 Use and Occupancy

No building or structure shall be used or occupied, and no change in the existing occupancy 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 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 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 International Residential Code adopted herein and hereby approved and adopted.

R202 Definitions

Definitions of the 2012 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.

ETJ: the Extraterritorial Jurisdiction of the Town of Lakewood Village.

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 International Residential Code adopted herein and hereby approved and adopted.

R301 Building Planning

Building Planning of the 2012 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.

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 16 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:
Saw cut the street and remove edge to allow for concrete forms. An asphalt patch must be installed upon removal of forms.
- 7) 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:
Saw cuts are permissible.
- 5) 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 International Residential Code adopted herein and hereby approved and adopted.

R401 General

General of the 2012 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 a minimum of 6 inches (152 mm) within the first 10 feet (3048 mm).

R403 Footings

Footings of the 2012 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 International Residential Code adopted herein and hereby approved and adopted.

N1102 Building Thermal Envelope

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

Table N1102.1.1 (R402.1.1) Insulation and Fenestration Requirements by Component^a

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

Table N1102.1.3 (R402.1.3) 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 International Residential Code adopted herein and hereby approved and adopted.

M1305 Appliance Access

Appliance Access of the 2012 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 International Residential Code adopted herein and hereby approved and adopted.

G2415 (404) Piping System Installation

Piping System and Installation of the 2012 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 International Residential Code adopted herein and hereby approved and adopted.

P2503 Inspection and Tests

Inspection and tests of the 2012 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 at ~~least annually~~ regular intervals as required by the Town.

CHAPTER 26. GENERAL PLUMBING REQUIREMENTS

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

P2603 Structural and Piping Protection

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

P2603.5 Freezing

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

P2503.5.1 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*.

CHAPTER 28. WATER HEATERS

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

P2803 Relief Valves

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

P2803.6 Installation of Relief Valves

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

P2803.6.1 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 International Residential Code adopted herein and hereby approved and adopted.

P2902 Protection of Potable Water Supply

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

P2902.5 Protection of Potable Water Connections

Protection of Potable Water Connections of the 2012 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.

CHAPTER 34. GENERAL REQUIREMENTS

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

E3406 Electrical Conductors and Connections

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

E3406.2 Conductor Material

Conductors used to conduct current shall be of copper ~~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 International Residential Code adopted herein and hereby approved and adopted.

E3601 General Services

General Services Ratings of the 2012 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 International Residential Code adopted herein and hereby approved and adopted.

E3702 Branch Circuit Ratings

Branch Circuit Ratings of the 2012 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
15-xx		<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 and Chapter 31. • 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
ENERGY CONSERVATION CODE 15-xx**

**AN ORDINANCE TO ADOPT THE 2012 INTERNATIONAL
ENERGY CONSERVATION CODE, WITHIN THE TOWN OF
LAKEWOOD VILLAGE AND THE TOWN OF LAKEWOOD
VILLAGE EXTRATERRITORIAL JURISDICTION;
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 and the citizens inside the Town of Lakewood village Extraterritorial Jurisdiction (collectively “Lakewood Village”) to adopt the 2012 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 2012 International Energy Conservation Code

The International Energy Conservation Code, 2012 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 "2012 International Energy Conservation Code"). The 2012 International Energy Conservation Code is made a part of this Ordinance as if fully set forth herein.

Section 3: Repeal

Energy Conservation Code 11-17 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. 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 xxth day of Xxxx, 2015.

Mark Vargus
Mayor

ATTEST:

Linda Asbell
Town Secretary, TMRC

Exhibit A

Town of Lakewood Village Amendments

2012 International Energy Conservation Code



ENERGY CONSERVATION CODE

Adopted: Xxxx xx, 2015

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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.

C101 General

General of the 2012 International Energy Conservation Code is amended as follows:

C101.1 Title

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

C106 Applicability

Applicability of the 2012 International Energy Conservation Code is amended as follows:

C106.1 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 C106.1.1 and C106.1.2. 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.

C107 Fees

Fees of the 2012 International Energy Conservation Code is amended as follows:

C107.2 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.

C107.3 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.

C107.5 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.

C108 Stop Work Order

Stop Work Order of the 2012 International Energy Conservation Code is amended as follows:

C108.4 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 a misdemeanor and upon conviction may be fined up to the maximum amount allowed by Texas law. Each day that violation continues after due notice has been serviced shall be deemed a separate offence. ~~liable to a fine of not less than [AMOUNT] dollars or more than [AMOUNT] dollars.~~

CHAPTER 2. DEFINITIONS

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

C202 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 2012 International Energy Conservation Code adopted herein and hereby adopted.

Table R402.1.1 Insulation and Fenestration Requirements by Component^a

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

Table R402.1.3 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.

**End of Exhibit A****ADOPTION AND SUMMARY OF AMENDMENTS**

Ordinance Number	Date	Summary
15-xx		<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

**TOWN OF LAKEWOOD VILLAGE
FUEL GAS CODE 15-xx**

AN ORDINANCE TO ADOPT THE 2012 INTERNATIONAL FUEL GAS CODE, WITHIN THE TOWN OF LAKEWOOD VILLAGE AND THE TOWN OF LAKEWOOD VILLAGE EXTRATERRITORIAL JURISDICTION; 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 and the citizens inside the Town of Lakewood village Extraterritorial Jurisdiction (collectively “Lakewood Village”) to adopt the 2012 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 International Fuel Gas Code

The International Fuel Gas Code, 2012 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 International Fuel Gas Code"). The 2012 International Fuel Gas Code is made a part of this Ordinance as if fully set forth herein.

Section 3: Repeal

Fuel Gas Code 11-13 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. 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 xxth day of Xxxx, 2015.

Mark Vargus
Mayor

ATTEST:

Linda Asbell
Town Secretary, TMRC

Exhibit A

Town of Lakewood Village Amendments

2012 International Fuel Gas Code



FUEL GAS CODE

Adopted: Xxxx xx, 2015

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CHAPTER 1. SCOPE AND APPLICATION

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

[A] 101 General

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

[A] 106.3 Application for Permit

Application for Permit of the 2012 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 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 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 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 a misdemeanor and upon conviction may be fined up to the maximum amount allowed by Texas law. Each day that a violation continues after due notice has been served shall be deemed a separate offence. ~~, 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 International Fuel Gas Code adopted herein and hereby approved and adopted.

306 Access and Service Space

Appliances in Attics of the 2012 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 not less than 6 feet (1829 mm) high 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 International Fuel Gas Code adopted herein and hereby approved and adopted.

404 Piping System and Installation

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

404.12 Minimal Burial Depth

All underground *piping* 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 Minimal Burial Depth

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.



End of Exhibit A

ADOPTION AND SUMMARY OF AMENDMENTS

Ordinance Number	Date	Summary
15-xx		<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 15-xx**

AN ORDINANCE TO ADOPT THE 2012 INTERNATIONAL MECHANICAL CODE, WITHIN THE TOWN OF LAKEWOOD VILLAGE AND THE TOWN OF LAKEWOOD VILLAGE EXTRATERRITORIAL JURISDICTION; 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 and the citizens inside the Town of Lakewood village Extraterritorial Jurisdiction (collectively “Lakewood Village”) to adopt the 2012 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 International Mechanical Code

The International Mechanical Code, 2012 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 International Mechanical Code"). The 2012 International Mechanical Code is made a part of this Ordinance as if fully set forth herein.

Section 3: Repeal

Mechanical Code 11-04 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. 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 xxth day of Xxxx, 2015.

Mark Vargus
Mayor

ATTEST:

Linda Asbell
Town Secretary, TMRC

Exhibit A

Town of Lakewood Village Amendments

2012 International Mechanical Code



MECHANICAL CODE

Adopted: Xxxx xx, 2015

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CHAPTER 1. SCOPE AND APPLICATION

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

[A] 101 General

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

[A] 106.3 Application for Permit

Application for Permit of the 2012 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 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 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 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 a misdemeanor and upon conviction may be fined up to the maximum amount allowed by Texas law. Each day that a violation continues after due notice has been served shall be deemed a separate offence. ~~, 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 International Mechanical Code adopted herein and hereby approved and adopted.

306 Access and Service Space

Appliances in Attics of the 2012 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 not less than 6 feet (1829 mm) high 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
15-xx		<ul style="list-style-type: none">• 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 15-xx**

AN ORDINANCE TO ADOPT THE 2012 INTERNATIONAL PLUMBING CODE, WITHIN THE TOWN OF LAKEWOOD VILLAGE AND THE TOWN OF LAKEWOOD VILLAGE EXTRATERRITORIAL JURISDICTION; 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 and the citizens inside the Town of Lakewood village Extraterritorial Jurisdiction (collectively “Lakewood Village”) to adopt the 2012 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 2012 International Plumbing Code

The International Plumbing Code, 2012 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 "2012 International Plumbing Code"). The 2012 International Plumbing Code is made a part of this Ordinance as if fully set forth herein.

Section 3: Repeal

Plumbing Code 11-09 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. 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 xxth day of Xxxx, 2015.

Mark Vargus
Mayor

ATTEST:

Linda Asbell
Town Secretary, TMRC

Exhibit A

Town of Lakewood Village Amendments

2012 International Plumbing Code



PLUMBING CODE

Adopted: Xxxx xx, 2015

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CHAPTER 1. SCOPE AND APPLICATION

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

[A] 101 General

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

[A] 106.3 Application for Permit

Application for Permit of the 2012 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 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 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 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 a misdemeanor and upon conviction may be fined up to the maximum amount allowed by Texas law. Each day that a violation continues after due notice has been served shall be deemed a separate offence. ~~, 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 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 International Plumbing Code is amended as follows:

305.4 Freezing

Freezing of the 2012 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 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 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 International Plumbing Code adopted herein and hereby approved and adopted.

502 Installation

Installation of the 2012 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 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. Not terminate more than 6 inches (152 mm) 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 International Plumbing Code adopted herein and hereby approved and adopted.

603 Water Service

Installation of the 2012 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 water service lines, including fittings, ~~pipe~~ shall not have an internal diameter be not less than 1 $\frac{3}{4}$ inch (25.4 19.1 mm). ~~in diameter.~~

CHAPTER 9. VENTS

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

903 Vent Terminals

Vent Terminals of the 2012 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.

**End of Exhibit A****ADOPTION AND SUMMARY OF AMENDMENTS**

Ordinance Number	Date	Summary
15-xx		<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• Removed amendments to 917.3
11-09	May 12, 2011	REPEALED