

**TOWN OF LAKEWOOD VILLAGE
ENERGY CONSERVATION CODE 21-08**

**AN ORDINANCE TO ADOPT THE 2018 INTERNATIONAL
ENERGY CONSERVATION CODE, WITHIN THE TOWN OF
LAKEWOOD VILLAGE; 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 to adopt the 2018 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 2018 International Energy Conservation Code

The International Energy Conservation Code, 2018 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 "2018 International Energy Conservation Code"). The 2018 International Energy Conservation Code is made a part of this Ordinance as if fully set forth herein.

Section 3: Repeal

Energy Conservation Code 16-18 ordinance is hereby repealed in its entirety.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 after notification. 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.

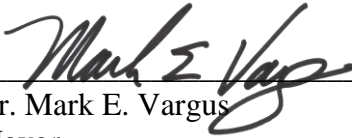
Section 7: Estoppel / Waiver

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

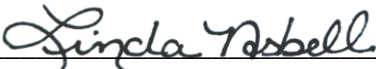
The amendments to this Ordinance shall become effective from and after its date of passage and publication as provided by law.

PASSED AND APPROVED by the Town Council of the Town of Lakewood Village, Texas this the 10th day of June, 2021.



Dr. Mark E. Vargus
Mayor

ATTESTED:



Linda Asbell, TRMC, CMC
Town Secretary



Exhibit A

Town of Lakewood Village Amendments

2018 International Energy Conservation Code



ENERGY CONSERVATION CODE

Adopted: June 10th, 2021

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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.

R101 General

General of the 2018 International Energy Conservation Code is amended as follows:

R101.1 Title

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

R106 Applicability

Applicability of the 2018 International Energy Conservation Code is amended as follows:

R106.1 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 R106.1.1 and R106.1.2. 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.

R107 Fees

Fees of the 2018 International Energy Conservation Code is amended as follows:

R107.2 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.

R107.3 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.~~

R107.5 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.

R108 Stop Work Order

Stop Work Order of the 2018 International Energy Conservation Code is amended as follows:

R108.4 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 separate offenses for each day during which the violation is continued after notification.

CHAPTER 2. DEFINITIONS

The following additions, deletions and amendments to the 2018 International Energy Conservation Code adopted herein and hereby adopted.

R202 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 2018 International Energy Conservation Code adopted herein and hereby adopted.

Table R402.1.2 Insulation and Fenestration Requirements by Component^a

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

Table R402.1.4 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.

Table R406.4 Maximum Energy Rating Index

Climate Zone	Energy Rating Index	<u>Compliance Date</u> <u>Texas HB 1736</u>
1	52	
2 & 3	65	<u>9/1/2016 – 8/31/2019</u>
2 & 3	63	<u>9/1/2019 – 8/31/2022</u>
2 & 3	59	<u>After 9/1/2022</u>
4	<u>69</u>	<u>9/1/2016 – 8/31/2019</u>
4	<u>67</u>	<u>9/1/2019 – 8/31/2022</u>
4	<u>63</u>	<u>After 9/1/2022</u>
5	55	
6	54	
7	53	
8	53	

End of Exhibit A

ADOPTION AND SUMMARY OF AMENDMENTS

Ordinance Number	Date	Summary
21-10	June 10, 2021	<ul style="list-style-type: none">• Referenced 2018 IRC
16-18	November 10, 2016	<ul style="list-style-type: none">• Adopted 2015 Standard• Added Table R406.4
16-16	October 13, 2016	<ul style="list-style-type: none">• Removed ETJ
15-08	May 14, 2015	<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