

ORDINANCE NO. _____

AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS AMENDING CHAPTER 18, BUILDING AND BUILDING REGULATIONS, OF THE CODE OF ORDINANCES OF THE TOWN BY AMENDING VARIOUS PROVISIONS OF ARTICLE VI (PLUMBING CODE) THEREOF INCLUDING; SECTIONS 18-341 (ADPOTED) (AND ADOPTING THE INTERNATIONAL PLUMBING CODE, 2012 EDITION, 18-364 (LICENSING AND REGISTRATION OF CONTRACTORS); 18-366 FEE REFUNDS; 18-368 PARTITIONS; 18-370 ADMINISTRATIVE APPROVAL; AND 18-371 GREASE TRAPS AND GREASE INTERCEPTORS; PROVIDING A SAVINGS CLAUSE; PROVIDING A PENALTY NOT TO EXCEED THE SUM OF FIVE HUNDRED DOLLARS (\$500.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING A SEVERABILITY CLAUSE; PROVIDING AN EFFECTIVE DATE.

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

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

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

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

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

Section 3. Savings; Repealer. This Ordinance shall be cumulative of all other ordinances of the City and shall not repeal any of the provisions of those ordinances except in those instances where the provisions of those ordinances are in direct conflict with the provisions of this Ordinance. Provided, however, that the repeal of such ordinances or parts of such ordinances, and the amendments and changes made by this Ordinance, shall not affect any right, property or claim which was or is vested in the City, or any act done, or right accruing or accrued, or established, or any suit, action or proceeding had or commenced before the time when this Ordinance shall take effect; nor shall said repeals, amendments or changes affect any offense committed, or any penalty or forfeiture incurred, or any suit or prosecution pending at the time when this Ordinance shall take effect under any of the ordinances or sections thereof so repealed, amended or changed; and to that extent and for that purpose the provisions of such ordinances or parts of such ordinances shall be deemed to remain and continue in full force and effect.

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

Section 5. Severability. The provisions of this Ordinance are severable, and if any section or provision of this Ordinance or the application of any section or provision to any person, firm, corporation, entity, situation or circumstance is for any reason adjudged invalid or held unconstitutional by a court of competent jurisdiction, the same shall not affect the validity

of any other section or provision of this Ordinance or the application of any other section or provision to any other person, firm, corporation, entity, situation or circumstance, and the City Council declares that it would have adopted the valid portions of this Ordinance adopted herein without the invalid or unconstitutional parts and to this end the provisions of this Ordinance adopted herein shall remain in full force and effect.

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

PASSED AND APPROVED by the City Council of the Town of Addison, Texas this.

Todd Meier, Mayor

ATTEST:

By: _____
Matt McCombs, City Secretary

APPROVED AS TO FORM:

By: _____
John Hill, City Attorney

1. Section 18-341 of the Code is amended to read as follows:

Sec. 18-341. Adopted. 

(a)

The rules and regulations of the International Plumbing Code, International Fuel Gas Code, and the International Private Sewage Disposal Code, 2012 ~~2009~~ Editions, are hereby adopted as the rules and regulations and controlling the design, construction, installation, quality of materials, location, operation and maintenance of plumbing apparatus and fixtures within the city.

(b)

The International Plumbing Code, International Fuel Gas Code and International Private Sewage Disposal Code, 2012 ~~2009~~ Editions (copies of which, authenticated by the signature of the mayor and the city secretary, and made a public record by ordinance, are on file in the city secretary's office) are hereby adopted as the plumbing code of the city as fully as if copied at length in this article, but with the following changes therein and additions thereto provided in this article.

2. Section 18-364 of the Code is amended to read as follows:

Sec. 18-364. Licensing and registration of contractors. 

The International Plumbing Code is amended by adding subsection 106.7 to read as follows:

106.7. Licensing.

(a)

No person, corporation, firm, or contractor shall engage in the design, installation, construction, maintenance, service, repair, alteration or modification of a product or a plumbing system unless licensed as a plumbing or irrigation contractor by the town. However, no license is required for work that is not required to be permitted.

(b)

To register with the town as a plumbing or irrigation contractor, an application shall be made in writing on forms furnished for that purpose,

and filed with the building official. This application shall contain a copy of the person's state plumbing or irrigation licenses. The contractor registration fees shall be as follows:

1.

Plumbing contractorNo fee

2.

Irrigation contractor\$75.00

Exception: A homesteader ~~homeowner~~ is not required to be licensed as a registered contractor to perform work in his own home.

(c)

The plumbing or irrigation contractor's license shall be valid for one (1) year from the date of registration.

(d)

The contractor shall be subject to the requirements and penalties of the Code of Ordinances of the Town of Addison.

(e)

Any person who installs, repairs or alters a plumbing or irrigation system shall be licensed by the State of Texas to perform such work.

3. Section 18-366 of the Code is amended to read as follows:

Sec. 18-366. Fee refunds. 

The International Gas Code is amended to read as follows:

Subsection 106.6.3 of the International Plumbing Code, subsection 106.6.2 ~~106.5.3~~ of the International Fuel Gas Code, and subsection 106.4.3 of the International Private Sewage Disposable Code are amended to read as follows:

"The building official is authorized to establish a refund policy."

4. Section 18-367 of the Code is amended to read as follows:

Sec. 18-367 Sewer depth.

The International Plumbing Code is amended by changing subsection 305.4.1 ~~305.6.1~~ to read as follows:

~~305.4.1 –305.6.1. Sewer depth.~~ Building sewers that connect to private sewage disposal systems shall be a minimum of 6 inches (152 mm) below the frost line and not less than 12 inches (305 mm) below finished grade at the point of septic tank connection. ~~Building sewers shall be a minimum of 6 inches (152 mm) below the frost line and shall not be less than 12 inches (305 mm) below grade.~~

5. Section 18-368 of the Code is amended to read as follows:

Sec. 18-368. Partitions. 

The International Plumbing Code is amended by deleting sections ~~405.3.4~~ 310.4 and ~~405.3.5~~ 310.5.

5. Section 18-370 of the Code is amended to read as follows:

Sec. 18-370. Administration approval. 

The International Plumbing Code is amended by adding subsection ~~918.9~~ 917.9 to read as follows:

~~918.9~~ 917.9 *Administrative approval.* The administration shall have final approval of all locations of air admittance valves.

6. Section 18-371 of the Code is amended to read as follows:

Sec. 18-371. Grease traps and grease interceptors. 

The International Plumbing Code is amended by adding the following to subsection 1003.3:

In addition to the above requirements, grease traps shall comply with the following:

Description of use	Minimum Size (In Pounds)
Food service establishments with seating capacity of 50 or more	750
Food service establishments with seating capacity of less than 50 and with a 3-compartment sink	250
Minor food service establishments as defined by administrative authority	250 150

The administrative authority may require larger grease traps in particular businesses than shown above when it is felt that the quantity of grease may exceed the capacity of the grease traps shown. The administrative authority may also require grease traps for food preparation establishments other than food service facilities.

Grease traps shall be located outside of a building or structure in an area accessible for service.

All reference to automatic grease removal devices and food waste grinders shall be deleted from Section 1003.