

**ORDINANCE NO. 20-\_\_\_\_\_**

**AN ORDINANCE OF THE TOWN OF ADDISON, TEXAS, AMENDING CHAPTER 18 “BUILDINGS AND BUILDING REGULATIONS” OF THE ADDISON CODE OF ORDINANCES TO ADD A NEW ARTICLE IX “ENERGY CONSERVATION CODE,” ADOPTING THE 2018 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE, WITH AMENDMENTS; PROVIDING A PENALTY OF NOT LESS THAN FIVE HUNDRED AND NO/100 DOLLARS (\$500.00) OR MORE THAN ONE THOUSAND AND NO/100 DOLLARS (\$1,000.00) FOR EACH OFFENSE AND A SEPARATE OFFENSE SHALL BE DEEMED COMMITTED EACH DAY DURING OR ON WHICH A VIOLATION OCCURS OR CONTINUES; PROVIDING FOR SAVINGS, SEVERABILITY AND AN EFFECTIVE DATE.**

**WHEREAS**, the City Council of the Town of Addison, Texas has investigated and determined that it in the best interest of the health, safety and welfare of the citizens of the Town of Addison, 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 ADDISON, TEXAS:**

**SECTION 1.** The recitals set forth above are true and correct and are incorporated as if fully set forth herein.

**SECTION 2.** Addison Code of Ordinances, Chapter 18 “Buildings and Building Regulations,” is hereby amended to add a new Article IX “Energy Conservation Code” which shall read in its entirety as follows:

**ARTICLE IX. – ENERGY CONSERVATION CODE**

**Division I - Adopted.**

**Sec. 18-100. - Adopted.**

For the purpose of providing minimum standards to safeguard life or limb, health, property and public welfare by regulating and controlling the design, construction, quality of all buildings and structures within the city and certain equipment specifically regulated herein, the 2018 edition of the International Energy Conservation Code, as published by the International Code Council, a copy of which is on file in the office of the City Secretary, is hereby adopted and designated as the Energy Conservation Code of the Town to the same extent as if such code were copied verbatim in this Article. The title of this Article shall be the “Energy Conservation Code of the Town of Addison,” and it may be cited as such.

**Division II - Deletions, Amendments and Additions.**

**Sec. 18-101. – Deletions, amendments and additions.**

The 2018 International Energy Conservation Code, as adopted in this article, is hereby modified by deletions, amendments and additions provided herein.

*Section C101.1 Title; The International Energy Conservation Code has been amended adding the Town's name to read as follows:*

**C101.1 Title.** These regulations shall be known as the *Energy Conservation Code (Commercial Energy Code)* of the Town of Addison hereinafter referred to as “this code.”

*Section R101.1 Title; The International Energy Conservation Code (Residential Energy Code) has been amended adding the Town's name to read as follows:*

**R101.1 Title.** These regulations shall be known as the *Energy Conservation Code* of the Town of Addison hereinafter referred to as “this code.”

*Section R101.2 Scope; The International Energy Conservation Code has been amended to coordinate the residential energy code requirements with the Residential Building Code by adding an additional sentence to read as follows:*

**R101.2 Scope.** This code applies to residential building and building sites and associated systems and equipment. Additional compliance methods shall be as prescribed in the International Residential Code as adopted or may be amended.

**Sections 18-102 through 18-108 reserved.**

**SECTION 3. Penalty Provision.** Any person, firm, corporation or business entity violating this Ordinance shall be deemed guilty of a misdemeanor, and upon conviction therefore, shall be fined a sum of a minimum of five hundred dollars (\$500.00) per day and not to exceed one thousand dollars (\$1000.00) per day, and each and every day that such violation continues shall be considered a separate offense; provided, however, that such penal provision shall not preclude a suit to enjoin such violation. Addison retains all legal rights and remedies available to it pursuant to local, state and federal law.

**SECTION 4. Savings/Repealing Clause.** All provisions of any ordinance in conflict with this Ordinance are hereby repealed to the extent they are in conflict; but such repeal shall not abate

any pending prosecution for violation of the repealed ordinance, nor shall the repeal prevent a prosecution from being commenced for any violation if occurring prior to the repeal of the ordinance. Any remaining portion of conflicting ordinances shall remain in full force and effect.

**SECTION 5.** Severability. If any section, subsection, sentence, clause or phrase of this Ordinance is for any reason, held to be unconstitutional or invalid by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Ordinance. Addison 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 phrases be declared unconstitutional.

**SECTION 6.** Effective Date. This Ordinance shall become effective June 1, 2020.

**DULY PASSED AND ADOPTED** by the City Council of the Town of Addison, Texas, on this **28<sup>th</sup>** day of **APRIL 2020**.

**TOWN OF ADDISON, TEXAS**

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Joe Chow, Mayor

**ATTEST:**

**APPROVED AS TO FORM:**

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Irma Parker, City Secretary

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Brenda N. McDonald, City Attorney