

ORDINANCE NO. ORD-2015-9750

AN ORDINANCE AMENDING THE LAND DEVELOPMENT CODE OF THE CITY OF IRVING, TEXAS, BY REPEALING SECTION 8-7 ENTITLED "INTERNATIONAL ENERGY CONSERVATION CODE" OF CHAPTER 8 AND BY AMENDING SAID CODE BY ADDING SECTIONS 8B-9 THROUGH 8B-11, ADOPTING THE 2015 EDITION OF THE INTERNATIONAL ENERGY CONSERVATION CODE AS THE ENERGY CODE FOR THE CITY OF IRVING, TEXAS, AND PROVIDING AMENDMENTS, ADDITIONS, AND DELETIONS THERETO; ADOPTING PENALTY PROVISIONS; AND PROVIDING FOR SEVERABILITY, SAVINGS, AND AN EFFECTIVE DATE.

WHEREAS, the North Central Texas Council of Governments encourages local jurisdictions to adopt the 2015 International Codes; and

WHEREAS, the Construction Board of Appeals, among its other duties, has been created to obtain public comment on the periodic update of the code; and

WHEREAS, the Construction Board of Appeals has conducted a public meeting to receive public comments from persons affected by the proposed amendments to the code, and recommends adoption of the 2015 International Energy Conservation Code as the energy code for the City with the following local amendments;

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

SECTION 1. That Section 8-7 of Chapter 8 of The Land Development Code of the City of Irving, Texas, is hereby repealed.

SECTION 2. That Chapter 8B entitled "Building Codes" of The Land Development Code of the City of Irving, Texas, is hereby amended by adding new Sections 8B-9, 8B-10, and 8B-11 to read as follows:

Sec. 8B-9. International Energy Conservation Code.

The 2015 edition of the International Energy Conservation Code is adopted as the energy code of the City of Irving, Texas, as amended herein.

Sec. 8B-10. Amendments, additions, and deletions to the 2015 edition of the International Energy Conservation Code.

(a) Amendments included in this section are intended to be specific code provisions. If there is a conflict between a provision in the published 2015 International Energy Conservation Code and this section, the specific provisions of this section shall control.

(b) The following table contains the local amendments to the International Energy Conservation Code, which is modified as set forth herein:

- (1) When identified by the letter “R,” the corresponding section of the 2015 International Energy Conservation Code is deleted in its entirety and replaced by the local amendment as set forth in Column 3 of the table below.
- (2) When identified by the letter “S,” the corresponding section of the 2015 International Energy Conservation Code is supplemented by the additional provision as set forth in Column 3 of the table below.
- (3) When identified by the letter “M,” the corresponding section of the 2015 International Energy Conservation Code is modified by amending the language of the provision to read as set forth in Column 3 of the table below.

Table Legend:

Column 1: Item Reference Number

Column 2: Related code section/caption

Column 3: Amended code provision

Column 4: “R” – 2015 International Energy Conservation Code section is replaced by the provision in Column 3; “S” – 2015 International Energy Conservation Code section is supplemented by the provision in Column 3; “M” – 2015 International Energy Conservation Code section is modified by the provision in Column 3.

TABLE OF LOCAL AMENDMENTS TO THE
2015 INTERNATIONAL ENERGY CONSERVATION CODE

1	IECC C102 Alternate materials – method of construction, design or insulating systems	A building certified by a national, state, or local accredited energy efficiency program and determined by the Energy Systems Laboratory to be in compliance with the energy efficiency requirements of this section may, at the option of the building official, be considered in compliance. The United States Environmental Protection Agency's Energy Star Program certification of energy code equivalency shall be considered in compliance.	S
2	IECC C107 Fees	Refer to Section 8B-3 of Chapter 8B of The Land Development Code of The City of Irving, Texas.	R
3	IECC C109 Board of appeals	Refer to Section 8B-4 of Chapter 8B of The Land Development Code of The City of Irving, Texas.	R

Sec. 8B-11. Penalty.

(a) A person commits an offense if the person violates a provision of the 2015 International Energy Conservation Code, as adopted and amended by the City of Irving, allows another person to violate a provision of the 2015 International Energy Conservation Code, as adopted and amended by the City of Irving, or fails to perform an act required of the person by the 2015 International Energy Conservation Code, as adopted and amended by the City of Irving. A person commits a separate offense each day or portion of a day during which the violation is committed, allowed, or continued.

(b) An offense described in Section 8B-11(a) is a class “C” misdemeanor and shall be punishable by a fine not to exceed \$500.00. However, a fine for the violation of a provision of this chapter that governs fire safety, zoning, or public health and sanitation, including dumping or refuse, may not exceed \$2,000.00.

(c) The penalties provided for in this section are in addition to any other enforcement remedies that the city may have under other city ordinances or state law.

SECTION 3. That terms and provisions of this ordinance shall be deemed to be severable and that if the validity of any section, subsection, sentence, clause, or phrase of this ordinance should be declared to be invalid, the same shall not affect the validity of any other section, subsection, sentence, clause, or phrase of this ordinance.

SECTION 4. That it is the intent of the Irving City Council that pending prosecutions, brought under the previous code, which this ordinance replaces, should continue under the terms and penalties of said code and be saved from dismissal as if said prior ordinances had not been repealed.

SECTION 5. That this ordinance shall become effective on September 1, 2016.

PASSED AND APPROVED BY THE CITY COUNCIL OF THE CITY OF IRVING, TEXAS, on December 10, 2015.

BETH VAN DUYNE
MAYOR

ATTEST:

Shanae Jennings
City Secretary

APPROVED AS TO FORM:

Charles R. Anderson
City Attorney